

Suits – LA – SRBC, Nandyal, Kurnool District - O.P.No. 4290/87 & batch and OP No. 1347, 1118/87 (26 cases) - Sanction of enhanced decretal charges of Rs.11,53,130/- – Orders – Issued.

IRRIGATION&CAD(PW.LA.II)DEPARTMENT

Dated:09/06/2009.

From the Spl.C.S. to Government & Chief Commissioner of Land Administration, A.P., Hyderabad, Letter No. SRP4/67/2008, dt. 27/2/2008.

ORDER :

The Special Chief Secretary to Government and chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the special Collector, Srisailem Project, Kurnool has submitted that the proposals for payment of final decretal charges in respect of O.P. No. 4290/87 & batch and OP No.1347, 1118/87 (26 cases) pertaining to Kambalapalli(V), Pamulapadu (M), Kurnool Dist. The then Spl. Dy.Collector(LA), Nandyal had acquired the lands an extent of Ac.82-90 cents of land in Survey No.4/2 etc., of Kambalapalli village of Pamulapadu (M) of Kurnool Dist. by fixing the market value @ Rs. 11030-00, Rs.7547-00 and Rs.7000-00 per acre for Category-I, II, & III lands for the purpose of excavation of SRBC main canal vide award No. 12/85, dt. 20/09/85. The awardees have filed their petitions U/s 18 of LA Act. The Sr.Civil Judge, Atmakur had delivered the judgement on 23/3/1995 and enhancing the market value fixed by the LAO from @ Rs. 11030-00, Rs.7547-00 and Rs.7000-00 per acre to Rs.16545/-, Rs.11,320/- and Rs. 10,500/- per acre for Category-I, II, & III lands. Since the enhancement is 50% only, the enhanced decretal amount of Rs. 2,98,393/- (only for present 26 Ops) was deposited in the Lower Court on 18/11/2004. Aggrieved with market value enhanced by the Lower Court, the awardees have filed Appeals in the Hon'ble High Court for OP No. 4163/87 & batch (94 cases) against the orders of Lower Court. The Hon'ble High Court has remanded the case to Lower Court on 22/8/05 (in Appeal No. 1377/2000 & batchg of 30 cases) for fresh trial and disposal. The Govt. Pleader for Appeals was advised to contest the matter by adducing sufficient evidence to sustain the assessment made by the LAO. Accordingly, Sr. Civil Judge, Atmakur conducted fresh and disposed the cases in the OP No. 4290/87 & batch (24 cases) dt. 13/7/2006 and OP Nos. 1347/87 & 1118/87, dt. 18/8/2006, and enhanced the Market Value at Rs. 25,000/- per acre for Cat-I and Rs. 20,000/- per acre for Cat. II & III. The Chief Commissioner of Land Administration, Hyderabad has forwarded the proposal of the District Collector, Kurnool for sanction an amount of Rs. 11,53,130/-.

After careful examination of the matter, Government hereby accord sanction for an amount of Rs.11,53,130/- (Rupees Eleven lakhs Fifty three thousand one hundred and thirty only) in respect of OP No. 1106/87, 4290/87, 1108/87, 1104/87, 1345/87, 1124/87, 1347/87, 4180/87, 1149/87, 1146/87, 4164/87, 1212/87, 4161/87, 4159/87, 4168/87, 1159/87, 1105/87, 1161/87, 1216/87, 4171/87, 1118/87, 4156/87, 4151/87, 1150/87, 1120/87, 4187/87 (26 cases) pertaining to Kamabalapalli(V), Pamulupadu (M) of Kurnool District, subject to verification whether the reference under Section 18(1) of the L.A. Act is made to the lower Court after following all the guidelines / directions on the subject and in case it is detected that Sec. 18 reference was made contrary to the rules / guidelines issued by the Government / Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government / Special Chief Secretary to Government and chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower Court.

The expenditure sanctioned in para (2) ante shall be debitable to following Head of Account under : “2701 –COL on Major and Medium Irrigation; 01 – Major Irrigation (Commercial); MH 123 –SRBC; G.H. 11- Normal State Plan; S.H. (27) Canals and Distributaries’; 530 Major Works; 532 – Lands (charged)”. In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

This orders issues with the concurrence of Finance (Works & Projects) Department vide their U.O.No.1651/F4(1)/09-1, dt. 15/5/2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJIV RANJAN MISHRA
SECRETARY TO GOVERNMENT

To
The Spl.Chief Secretary to Government &
Chief Commissioner of Land Administration,
Andhra Pradesh, Hyderabad.
The Spl.Collector, Srisailem Project, Kurnool
The ENC, I&CAD, Hyderabad.
The SDC, SRBC, Nandyal
The Director of Works Accounts, Hyderabad.
Copy to :
P.S. to Minister (M&MI).
Finance (W&P) Dept./ C.No. 8087/LA.II(1)2008.
SF/Scs.

// FORWARDED BY ORDER //

SECTION OFFICER.